IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

WP(C).No. 9920 of 2004(E)

PETITIONER:

M/S. NOVATIS INDIA LTD., 44/30554,
KARUKKAPPALLY JN., DESHABHIMANI ROAD,
KALOOR, KOCHI-17, REPRESENTED BY ITS ACCOUNTS
OFFICER, MR. SASIDHARAN.

BY ADV. SMT.K.LATHA

RESPONDENTS:
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1. OFFICER IN CHARGE/MANAGER,
COMMUNITY PHARMACY SERVICES, DEPARATMENT OF
HOSPITAL AND CLINICAL SERVICES, MEDICAL COLLEGE
HOSPITAL, THIRUVANANTHAPURAM-11.

2. THE SUPERINTENDENT, MEDICAL COLELGE
HOSPITAL, THIRUVANANTHAPURAM-11.

3. THE STATE OF KERALA, REPRESENTED BY THE
CHIEF SECRETARY TO THE GOVERNMENT OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM.

4. INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, ERNAKULAM, COCHIN-30.

5. ASSISTANT COMMISSIONER (ASSMT.)-IV,
SPL.-III, ERNAKULAM.

6. THE CHAIRMAN, HOSPITAL DEVELOPMENT
SOCIETY, MEDICAL COLLEGE HOSPITAL,
THIRUVANANTHAPURAM.

R2 TO 5 BY G.P. SRI.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/11/2007, THE COURT ON 19/11/2007 DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF KGST ASSESSMENT ORDER FOR THE YEAR 2001-2002 DT.30.10.2003 ISSUED BY R5.

P2: TRUE COPIES OF SOME SAMPLE SUPPLY ORDERS ISSUED BY R1.

P3: TRUE COPY OF SOME SAMPLE COPIES OF CERTIFICATE AS PER ANNEXURE 1 TO SRO 1091/99 ISSUED BY R2 TO PETITIONER.

P4: TRUE COPY OF R.R. NOTICE DT.17.2.04.

TRUE COPY

PA TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.9920 of 2004

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Dated this the 19th day of November, 2007.

JUDGMENT

Since petitioner's claim is allowed by the Tribunal and the matter is now pending in revision before this court at the instance of the Government, this W.P. is closed leaving freedom to the petitioner to substantiate the Tribunal's finding in revision.

C.N.RAMACHANDRAN NAIR
Judge

pms